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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 OSSIE LEE SLAUGHTER,

9 Plaintiff,

v.

10 PATRICK R. GLEBE, et al.,

11 Defendant.

CASE NO. C15-5484 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

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13 This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 208), and Plaintiff Ossie Lee Slaughter’s (“Slaughter”) objections to the R&R (Dkt. 224).

16 On February 22, 2018, Judge Creatura issued the R&R recommending that the Court deny Slaughter’s motion for preliminary injunction because Slaughter’s requested relief regarding storage or transfer of his six boxes of legal material is not related to any of Slaughter’s claims. Dkt. 208. On March 18, 2018, Slaughter filed objections stating that he has received his legal material, but still requests injunctive relief regarding his medical issues. Dkt. 224.

1 The district judge must determine de novo any part of the magistrate judge's
2 disposition that has been properly objected to. The district judge may accept, reject, or
3 modify the recommended disposition; receive further evidence; or return the matter to the
4 magistrate judge with instructions. Fed. R. Civ. P. 72(b)(3).

5 In this case, the Court concludes that Slaughter's requests for relief go beyond the
6 scope of the complaint. Regarding Slaughter's request for his boxes of legal materials,
7 the issue appears to be moot because Slaughter asserts that he received these materials.
8 Dkt. 224 at 2. To the extent the request is not moot, the Court agrees with Judge Creatura
9 that the request is beyond the scope of Slaughter's complaint. Therefore, the Court
10 adopts the R&R on this issue.

11 Regarding Slaughter's request for immediate medical treatment, the request is also
12 beyond the scope of his complaint. With the sole exception of Defendant Bernard
13 Warner ("Warner"), Secretary of Washington's Department of Corrections, Slaughter
14 brings his claims against numerous employees of the Stafford Creek Corrections Center.
15 Dkt. 109, ¶¶ 5–30. Slaughter is now at the Clallam Bay Corrections Center ("CBCC").
16 Dkt. 224 at 1 (Slaughter's request to deliver his legal material to CBCC). To the extent
17 that Slaughter requests that the Court order CBCC's staff to provide medical assistance,
18 they are not parties to the complaint. Thus, the Court denies Slaughter's request on this
19 issue. To the extent Slaughter requests that Warner provide immediate medical
20 assistance, Slaughter has failed to meet his burden for preliminary relief. While Warner
21 may have the authority to order specific medical treatment for a specific inmate,
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1 Slaughter has failed to show that Warner is involved in the day-to-day operations of
2 specific medical treatment for inmates at every facility in Washington.

3 Therefore, the Court having considered the R&R, Slaughter's objections, and the
4 remaining record, does hereby find and order as follows:

5 (1) The R&R is **ADOPTED**; and

6 (2) Slaughter's motion for a preliminary injunction is **DENIED**.

7 Dated this 10th day of May, 2018.

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10 BENJAMIN H. SETTLE
11 United States District Judge
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